



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency:

- ☒ Preproposal Statement of Inquiry was filed as WSR 05-17-104 ; or  
☐ Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or  
☐ Proposal is exempt under RCW 34.05.310(4).

- ☐ Original Notice  
☐ Supplemental Notice to WSR \_\_\_\_\_  
☐ Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information:

Chapter 296-870 WAC, Powered Platforms

Hearing location(s):

Department of Labor and Industries  
Rooms S117 & S118  
7273 Linderson Way SW  
Tumwater Washington

Date: August 1, 2006 Time: 1:30 PMDate of intended adoption: September 6, 2006

Submit written comments to:

Name: Jim Hughes, Project Manger  
Address: PO Box 44620  
Olympia, WA 98507-4620  
e-mail HUGW235@LNI.WA.GOV  
fax (360)902-5619 by Noon August 11, 2006

Assistance for persons with disabilities: Contact

Kimberly Johnson by Noon, July 25, 2006 at (360)  
902-5008 TTY (360) 902-4645

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

CR101 Preproposal as filed for rules pertaining to Elevating Work Platforms and Powered Platforms as WSR#05-17-104 as part of the department's long term goal to rewrite our safety and health rules.

Elevating Work Platforms rules were filed in a separate CR102, WSR# 06-09-069.

This CR102 filing will create a new chapter 296-870 WAC for Powered Platforms rules. Relevant sections of chapter 296-24 WAC, Part J-3, Powered Platforms will be repealed with the Elevating Work Platforms rules.

The rulemakings will have the same effective date.

**Reasons supporting proposal:** The new rules will be easier for employers and employees to use and understand.

Statutory authority for adoption: RCW 49.17.010,  
49.17.040, 149.17.050, and 49.17.060

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

Federal Law? ☐ Yes ☒ No  
Federal Court Decision? ☐ Yes ☒ No  
State Court Decision? ☐ Yes ☒ No  
If yes, CITATION:

CODE REVISER USE ONLY

WSR# 06-13-085

DATE

June 20, 2006

NAME (type or print)

Gary K. Weeks

SIGNATURE

TITLE

Director

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**  
**None**

**Name of proponent:** (person or organization) Department of Labor and Industries

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Tracy Spencer	Tumwater, Washington	(360) 902-5530
Implementation.... Stephen M. Cant	Tumwater, Washington	(360) 902-5495
Enforcement..... Stephen M. Cant	Tumwater, Washington	(360) 902-5495

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

RCW 19.85.030(1)(a) requires a small business economic impact statement only when a rule will "impose more than a minor cost on businesses in an industry." An analysis of the proposed rule reveals that in addition to not imposing new costs on businesses, these revisions will make DOSH rules easier for employers and employees to understand and use, and thus save time and resources. Therefore no SBEIS is required.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain: There are no costs to assess within these proposed rules. Therefore no CBA is required.